



PRESS RELEASE

FOR IMMEDIATE RELEASE
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KAYENTA MAN SENTENCED IN THEFT OF TRIBAL PROPERTY

PHOENIX, ARIZONA –The United States Attorney's Office for the District of Arizona, announced that on February 24, 2004, NICKOLAS GREER, 03/02/42, of Kayenta, Arizona, was sentenced to three years probation that includes 180 days of home confinement, by United States Magistrate Judge Morton Sitver, in Phoenix, Arizona. Restitution to be paid to the Navajo Nation was also ordered in the amount of \$8, 592.15. In addition, GREER's Polarus 4X4 ATV was forfeited.

On October 3, 2003, NICKOLAS GREER, 03/02/42, of Kayenta, Arizona, pled guilty to Theft of Tribal Property, a Class A misdemeanor, in federal district court in Phoenix, Arizona. GREER, had been charged with violating Title 16 of the United States Code, Section 470ee(a), Archaeological Resource Protection Act (ARPA). Sometime in the Fall of 2001, Greer accessed a known archeological site on the Navajo Reservation by traveling to a remote canyon on his Polarus 4X4 ATV. He then dug and partially excavated the archaeological site, namely a midden containing pottery and at least one human burial which is associated with a cliff dwelling, both of which date to no later than AD 1150 to AD 1250-75. The

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archaeological site is located northwest of Kayenta, Arizona. Greer removed several items from the site, including a whole pottery vessel, a broken pottery vessel and a mano.

At sentencing, Ronald Maldonado, an Archaeologist with the Navajo Nation Historic Preservation Office, addressed the Court. Mr. Maldonado explained that a lot of people disturb archeological sites on the Navajo Nation for a variety of reasons, both for commercial looting and as a hobby. The Navajo Nation takes all of these crimes seriously. These sites are the remains of the Navajo people and its culture. The Navajo Nation will continue to seriously pursue these crimes and attempt to protect these invaluable resources.

The investigation in this case was conducted by the Bureau of Indian Affairs and the Navajo Nation Department of Law Enforcement.

The prosecution was handled by Kimberly M. Hare, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-332-PCT-FJM
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